THE HONOURABLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No :7616 of 2007

DATED:22-06-2007

BETWEEN:

Nanupalli Hanumayamma & 2 others.

..... PETITIONERS

AND

The Settlement Officer-cum-Sub-Collector,
Bhadrachalam,
Khammam District & another.

.....RESPONDENTS

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ORDER:

Heard learned counsel appearing for the petitioners as well as the learned Government Pleader for Social Welfare appearing for the respondents.

2. Petitioners seek a writ of mandamus declaring the inaction of the 1st respondent in not taking up hearing of the Review Petition filed by the petitioners on 21-11-2005, as illegal and arbitrary, and consequently direct the respondents 1 and 2 or their subordinate machinery not to dispossess the petitioners from possession and enjoyment of the schedule property measuring an extent of Hec.0.73; Hec.0.80 & Hec.2.60 in R.S.Nos.21/3, 22/2 and 22/3 respectively situated at Narayanapuram village, Bhadrachalam Revenue Mandal, Khammam District pending disposal of the Review Petition on the file of the 1st respondent.

3. It is the case of the petitioners that they are in continuous possession and enjoyment of the subject-matter of the properties in question situated at Narayanapuram village, Bhadrachalam Revenue Mandal, Khammam District having succeeded from their respective husbands, who in turn acquired under registered sale deed, dated 12-03-1951 under document No.34/1951 of the Sub Registrar, Bhadrachalam from its owner Smt. Sreeramula Veera Raghavamma, and the 1st respondent, who is vested with the

powers as Settlement Officer, Bhadrachalam for purpose of conducting enquiries and granting ryotvari pattas to the eligible ryots in accordance with the provisions of the A.P.Scheduled Areas Ryotvari Settlement Regulation 2/1970, built up two suo motu cases bearing Case Nos.8501/1984 and 8125/1984 in respect of the said schedule lands for grant of ryotvari pattas erroneously, arbitrarily, and rejected the pattas to the petitioners vide its order, dated 23-10-2005. It is stated that since the said order has been passed without considering the registered sale deeds and without giving reasonable opportunity, petitioners filed a review petition before the 1st respondent on 21-11-2005 within the stipulated period of thirty days from the date of receipt of the impugned order, but the 1st respondent is not entertaining the same.

4. Since it is stated that the review petition has been filed on 21-11-2005 and no orders have been passed so far, I am of the opinion that without expressing any opinion on merits of the case, it is just and necessary to direct the 1st respondent to consider and dispose of the same.

5. Having regard to the facts and circumstances, the Writ Petition is disposed directing the 1st respondent to consider and dispose of the Review Petition filed by the petitioners on 21-11-2005 in Case Nos.8101/1984 and 8125/1984, in accordance with law within three weeks from the date of receipt of a copy of this order. No order as to costs.

V.ESWARAIAH,J

22nd June, 2007.

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